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9 *Attorney for Plaintiff,*  
10 GREAT BOWERY INC. d/b/a TRUNK ARCHIVE

11 **IN THE UNITED STATES DISTRICT COURT**  
12 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**  
13 **WESTERN DIVISION**

14 GREAT BOWERY INC. d/b/a  
15 TRUNK ARCHIVE,

16 Plaintiff,

17 v.

18 DELUXE BEAUTE BEVERLY  
19 MEDICAL SPA, A  
20 PROFESSIONAL CORPORATION  
21 d/b/a DELUXE COSMETIC  
22 CENTER; CHERYL CHEN,  
23 individually; KEVIN DO,  
24 individually; TIFFANY HO,  
25 individually; and DOES 1 through 10  
26 inclusive,

27 Defendants.

**Case No. 2:24-cv-1334-CBM-SK**

**DECLARATION OF JAYMA C. LEATH  
IN SUPPORT OF MOTION TO  
WITHDRAW REQUEST FOR  
CLERK'S ENTRY OF DEFAULT AS  
TO DEFENDANTS DELUXE BEAUTE  
BEVERLY MEDICAL SPA, A  
PROFESSIONAL CORPORATION  
d/b/a DELUXE COSMETIC CENTER;  
CHERYL CHEN; and KEVIN DO AND  
TO EXTEND THE TIME FOR  
RESPONSE TO COMPLAINT**

28 I, Jayma C. Leath, declare as follows:

1. I am an attorney assisting Mathew K. Higbee who is the attorney for Plaintiff Great Bowery Inc. d/b/a Trunk Archive in the above-captioned action. I am over the age of 18 and not a party to the action.
2. I make this Declaration in support of Plaintiff's motion to withdraw Plaintiff's request that the Clerk enter default against Defendants Deluxe Beaute Beverly Medical Spa, A Professional Corporation d/b/a Deluxe Cosmetic Center

1 (“Deluxe”); Cheryl Chen (“Chen”); and Kevin Do (“Do”) pursuant to Fed. R.  
2 Civ. P. 55(a) and Plaintiff’s motion to request an extension of time for  
3 Defendants Deluxe, Chen, and Do to respond to the Complaint.

4 3. I have personal knowledge of the following facts, and if called as a witness, I  
5 could and would testify as follows:

6 4. Defendants’ attorney attempted to reach out to me by email on April 23 to set  
7 up a time to discuss resolution of this matter and to also request a 30-day  
8 extension of time for Defendants to respond to the Complaint and sent a  
9 follow-up email to me on April 25, 2024.

10 5. Neither email reached me because Defendants’ attorney did not have my  
11 correct email address.

12 6. On May 13, 2024, Plaintiff began the default process and filed a Request for  
13 Clerk’s Entry of Default (Doc. No. 18) because Defendants had not responded  
14 to the Complaint on or by the May 10, 2024 deadline.

15 7. Defendants’ attorney immediately called me and forwarded me the previously  
16 undelivered correspondence; stated Defendants would like to resolve this  
17 matter as soon as possible; and requested that we withdraw the Request for  
18 Clerk’s Entry of Default (Doc. No. 18).

19 8. Plaintiff’s attorneys have no objection to Defendants’ request to withdraw the  
20 request for entry of default.

21 9. The time has passed for Defendants’ to respond to the Complaint, however,  
22 we believe Defendants are trying to settle this matter in good faith.

23 I declare under penalty of perjury that the foregoing is true and correct under  
24 the laws of the United States of America.

25 Executed this 13<sup>th</sup> day of May, 2024 at Atlanta, GA.

26 /s/ Jayma C. Leath  
27 Jayma C. Leath  
28